



San Diego City Attorney CASEY GWINN

MEDIA RELEASE

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RITE AID SUED BY STATE PROSECUTORS FOR SELLING EXPIRED PRODUCTS

Consumers Urged to Check Their Medicine Cabinets and Pantries for These Products

San Diego, CA (June 8, 1999) -- Today, San Diego City Attorney Casey Gwinn and District Attorneys from three California counties announced the filing of a consumer protection lawsuit against one of the largest retail drug store chains in the United States. In the civil lawsuit, Rite Aid Corporation and its subsidiary, Thrifty Payless, Inc., are accused of selling expired infant formula, contraceptives, pregnancy tests, and baby medicines throughout its California stores.

The sale of expired infant formula was discovered by California prosecutors in January. Rite Aid had also been selling other expired health care products, such as condoms, contraceptive gels, pregnancy tests, and baby medicines. The sale of these expired products by Rite Aid in the state of Washington was brought to the attention of prosecutors late last month. Immediately, thereafter, expired products were found in California Rite Aid stores. When prosecutors notified Rite Aid of these findings, Rite Aid employees revealed they knew about the problem in Washington.

"Consumers have a right to expect that products they purchase are safe, effective, and nutritionally intact. We are alerting Californians to check their medicine cabinets and pantries for expired products, particularly infant formula, medicines, and other important health care and nutrition-related products," City Attorney Casey Gwinn said. "The reason products have an expiration date is they may lose their effectiveness over time."

The lawsuit, filed in Alameda County Superior Court today, will be collectively prosecuted by the San Diego City Attorney's Office and the District Attorneys' Offices of Alameda, Merced, and Santa Barbara Counties. In addition to seeking the immediate cessation of all unlawful conduct, the lawsuit seeks restitution, civil penalties, and costs of the prosecution. A hearing on the application for a temporary restraining order and preliminary injunction, ordering Rite Aid to stop selling these products, is scheduled for Thursday, June 10, 1999, at 1:45 p.m. in Alameda County Superior Court, located at 201 13th Street, Oakland, California.

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Any consumers who believe they have purchased expired products from Rite Aid or other retailers are asked to call a special toll-free hotline, (800) 869-9824.

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